

Last revised 8/1/15

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:

CHARLES L. & KATRINA J. JONES

Debtor(s)

Case No.:

17-20887

Judge:

CMG

Chapter:

13

Chapter 13 Plan and Motions

☐ Original

☒ Modified/Notice Required

☒ Discharge Sought

☐ Motions Included

☐ Modified/No Notice Required

☐ No Discharge Sought

Date: 7/20/17

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS WILL BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 200 per month to the Chapter 13 Trustee, starting on 8/1/17 for approximately 10 months, then \$1,100 for 48 months. (\$400 ptd)

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property

Description:

Proposed date for completion: _____

- ☐ Refinance of real property:

Description:

Proposed date for completion: _____

- ☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Steven N. Taieb, Esq.	Administrative Priority Counsel Claim	\$2,810
IRS	Taxes	\$9,851.27
State of NJ	Taxes	\$2,000

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor Collateral	or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Carrington	Mortgage	\$19,000		\$19,000	\$2,878
Toyota	2011 Sienna	\$200.23		\$200.23	\$700

b. Modification

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

d. Secured Claims Unaffected by the Plan The following secured claims are unaffected by the Plan:		Lexis Fin.-Current Outside Plan on 2010 RX350 Nissan-Current Outside Plan on 2012 Versa	
e. Secured Claims to be Paid in Full Through the Plan:			
Creditor	Collateral	Total Amount to be Paid Through the Plan	

Part 5: Unsecured Claims

a. Not separately classified allowed non-priority unsecured claims shall be paid: <div style="margin-left: 20px;"> <input type="checkbox"/> Not less than \$ _____ to be distributed <i>pro rata</i> <input checked="" type="checkbox"/> Not less than _____ 100 percent <input type="checkbox"/> <i>Pro Rata</i> distribution from any remaining funds </div>			
b. Separately classified unsecured claims shall be treated as follows:			
Creditor	Basis For Separate Classification	Treatment	Amount to be Paid
US Dept of Education/Glelsi	Student Loans	Current Outside Plan	\$133,383

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:		
Creditor	Nature of Contract or Lease	Treatment by Debtor
I Storage Choice Home Warranty	Exec. Contract Exec Contract	Assume Assume

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor Nature	of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Administrative Priority Claims
- 3) Secured Claims
- 4) Unsecured Claims

d. Post-Petition Claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: 5/26/17.

Explain below **why** the plan is being modified:

Changing Plan to 100%

Explain below **how** the plan is being modified:

Changing Plan to 100%

Are Schedules I and J being filed simultaneously with this Modified Plan?

☐ Yes ☒ No

Part 10: Sign Here

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: 7/25/17

/s/ Steven N. Taieb, Esq.
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 7/25/17

/s/ Charles L. Jones
Debtor

Date: 7/25/17

/s/ Katrina J. Jones
Joint Debtor

Certificate of Notice Page 8 of 9
 United States Bankruptcy Court
 District of New Jersey

In re:
 Charles L. Jones
 Katrina J. Jones
 Debtors

Case No. 17-20887-CMG
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 27

Date Rcvd: Jul 27, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 29, 2017.

db +Charles L. Jones, 7 Elridge Place, Willingboro, NJ 08046-2232
 jdb +Katrina J. Jones, 7 Elridge Place, Willingboro, NJ 08046-2232
 516850795 +Barclays Bank Delaware, PO Box 8803, Wilmington, NJ 19899-8803
 516850797 ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
 (address filed with court: Capital One Bank USA N, 15000 Capital One Drive,
 Richmond, VA 23238)
 516850799 +CBCS, PO Box 2589, Columbus, OH 43216-2589
 516850800 +CITI, PO Box 6241, Sioux Falls, SD 57117-6241
 516850796 +Cap One NA, PO Box 26625, Richmond, VA 23261-6625
 516964539 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 516850798 +Carrington Mortgage Services, LLC, 1600 S. Douglas Road, Suite 200 A,
 Anaheim, CA 92806-5951
 516850801 +Credit First N A, 6275 Eastland Road, Brookpark, OH 44142-1399
 516897787 Credit First NA, BK13 Recovery Services, PO Box 818011, Cleveland, OH 44181-8011
 516850805 OneMain Financial, Attn Bankruptcy Department, PO Box 140489, Irving, Texas 75014-0489
 516850807 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
 TRENTON NJ 08646-0245
 (address filed with court: State of NJ Division of Taxation, Attn Bankruptcy Department,
 PO Box 245, Trenton, New Jersey 08695-0267)
 516850806 +Shapiro & DeNardo, LLC, Attn: Kathleen M. Magoon, 14000 Commerce Parkway, Suite B,
 Mt. Laurel, NJ 08054-2242
 516850810 ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026
 (address filed with court: Toyota Financial, 4 Gatehall Drive, Suite 350,
 Parsippany, NJ 07054)
 516883870 +Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
 516850812 +US Department of Ed/Glelsi, PO Box 7860, Madison, WI 53707-7860
 516850814 +WF Card Service, 3201 N 4th Avenue, Sioux Falls, SD 57104-0700
 516936553 Wells Fargo Bank N.A., d/b/a Wells Fargo Dealer Se, P.O. BOX 19657, IRVINE, CA 92623-9657
 516850813 +Wells Fargo Dealer Services, PO Box 1697, Winterville, North Carolina 28590-1697

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov Jul 27 2017 23:31:01 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Jul 27 2017 23:30:59 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 516850803 E-mail/Text: cio.bncmail@irs.gov Jul 27 2017 23:30:39 IRS Special Procedures,
 Bankruptcy Department, PO Box 744, Springfield, New Jersey 07081-0744
 516850804 +E-mail/Text: bnckohlsnotices@becket-lee.com Jul 27 2017 23:30:32 Kohls/Capone,
 N56 W 17000 Ridgewood Drive, Menomonee Falls, WI 53051-7096
 516850808 +E-mail/PDF: gecsedirecoverycorp.com Jul 27 2017 23:38:40 SYNCB/Sams Club, PO Box 965005,
 Orlando, FL 32896-5005
 516852718 +E-mail/PDF: gecsedirecoverycorp.com Jul 27 2017 23:45:59 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 516850809 +E-mail/PDF: gecsedirecoverycorp.com Jul 27 2017 23:45:48 Synchrony Bank, PO Box 965064,
 Orlando, Florida 32896-5064

TOTAL: 7

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

516850802* +Internal Revenue Service, PO Box 7346, Philadelphia, Pennsylvania 19101-7346
 516850811* ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026
 (address filed with court: Toyota Financial, 4 Gatehall Drive, Suite 350,
 Parsippany, New Jersey 07054)

TOTALS: 0, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 27

Date Rcvd: Jul 27, 2017

***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 29, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 25, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Charles G. Wohlrab on behalf of Creditor Wells Fargo Bank, N.A., as Trustee for Carrington
Mortgage Loan Trust, Series 2006-FRE2 Asset-Backed Pass-Through Certificates cwohlab@logs.com,
njbankruptcynotifications@logs.com
Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Steven N. Taieb on behalf of Joint Debtor Katrina J. Jones staieb@comcast.net
Steven N. Taieb on behalf of Debtor Charles L. Jones staieb@comcast.net
U.S. Trustee. USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6